

REGULAR COUNCIL MEETING AGENDA

VILLAGE OF ANMORE



Agenda for the Regular Council Meeting scheduled for Tuesday,
August 16, 2016 at 7:00 p.m. in Council Chambers at Village Hall,
2697 Sunnyside Road, Anmore, BC

1. Call to Order

2. Approval of the Agenda

Recommendation: That the agenda be approved as circulated.

3. Public Input

Note: The public is permitted to provide comments to Council on any item shown on this meeting agenda.

4. Delegations

5. Adoption of Minutes

(a) Minutes of the Regular Council Meeting held on July 26, 2016

Recommendation: That the Minutes of the Regular Council Meeting held on July 26, 2016 be adopted as circulated.

6. Business Arising from Minutes

7. Consent Agenda

8. Items Removed from the Consent Agenda

9. Legislative Reports

10. Unfinished Business

11. New Business

(a) Canadian Federation of Independent Business – Property Tax Gap Report

E-mail message received June 22, 2016 from Aaron Aerts, BC Economist, is attached.

(b) Union of British Columbia Municipalities – Small Talk Forum 2016

Memorandum dated August 9, 2016 from Bhar Sihota, Policy Analyst, is attached.

page 1

page 8

page 10

page 12

(c) Award of Contract – Rebranding Exercise

Report dated August 10, 2016 from the Chief Administrative Officer is attached.

12. Mayor's Report**13. Councillors Reports****14. Chief Administrative Officer's Report****15. Information Items****(a) Committees, Commissions, and Boards – Minutes****(b) General Correspondence**

page 14

- Letter dated July 18, 2016 copied from Metro Vancouver regarding Mattress and Bulky Furniture Extended Producer Responsibility

page 25

- E-mail message received July 26, 2016 from Jane and Mike Story regarding development construction concerns.

page 27

- Letter dated July 26, 2016 copied from City of Victoria regarding opposition to the Trans Mountain Pipeline Expansion

page 56

- Letter dated July 27, 2016 copied from City of Richmond regarding Request to Limit Large Homes in the Agricultural Land Reserve

16. Public Question Period

Note: The public is permitted to ask questions of Council regarding any item pertaining to Village business.

17. Adjournment

REGULAR COUNCIL MEETING AND ANNUAL GENERAL MEETING MINUTES

VILLAGE OF ANMORE



Minutes of the Regular Council Meeting, including the Annual General Meeting, held on Tuesday, July 26, 2016 in Council Chambers at Village Hall, 2697 Sunnyside Road, Anmore, BC

ELECTED OFFICIALS PRESENT

Mayor John McEwen
Councillor Ryan Froese
Councillor Ann-Marie Thiele
Councillor Paul Weverink
Councillor Kim Trowbridge

STAFF PRESENT

Juli Kolby, Chief Administrative Officer
Martin Greig, Building Inspector and Bylaw Enforcement Officer

1. Call to Order

Mayor McEwen called the meeting to order at 7:00 p.m.

2. Approval of the Agenda

It was MOVED and SECONDED:

R139/2016 **“THAT THE AGENDA BE APPROVED AS CIRCULATED.”**

CARRIED UNANIMOUSLY

3. Public Input

Mayor McEwen advised that Public Input will also be permitted under item 11(a) – Annual Report and Statement of Financial Information.

Nil

4. Delegations

Nil

5. Adoption of Minutes

(a) Minutes of the Regular Council Meeting held on June 21, 2016

It was MOVED and SECONDED:

R140/2016 **“THAT THE MINUTES OF THE REGULAR COUNCIL MEETING HELD
ON JUNE 21, 2016 BE ADOPTED AS CIRCULATED.”**

CARRIED UNANIMOUSLY

(b) Minutes of the Special Council Meeting held on July 12, 2016

It was MOVED and SECONDED:

R141/20168 **“THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD
ON JULY 12, 2016 BE ADOPTED AS CIRCULATED.”**

CARRIED UNANIMOUSLY

6. Business Arising from Minutes

Nil

7. Consent Agenda

It was MOVED and SECONDED:

R142/2016 **“THAT THE FOLLOWING RECOMMENDATIONS BE ADOPTED ON
CONSENT.”**

CARRIED UNANIMOUSLY

(a) City of Maple Ridge

Recommendation adopted on consent:

R143/2016 **“THAT THE LETTER FROM CITY OF MAPLE RIDGE DATED JUNE 24,
2016 REGARDING APPLICATION FOR HPS FUNDING BE RECEIVED;
AND THAT VILLAGE OF ANMORE COUNCIL SUPPORTS THE CITY
OF MAPLE RIDGE’S APPLICATION FOR HOMELESSNESS
PARTNERING STRATEGY FUNDING.”**

(b) Metro Vancouver Request for Endorsement

Recommendation adopted on consent:

R144/2016 **“THAT THE LETTER FROM METRO VANCOUVER DATED JUNE 29, 2016 REGARDING REGIONAL AFFORDABLE HOUSING STRATEGY BE RECEIVED FOR INFORMATION; AND THAT VILLAGE OF ANMORE COUNCIL SUPPORTS THE METRO VANCOUVER REGIONAL AFFORDABLE HOUSING STRATEGY, REVISED JUNE 20, 2016, AS A COLLABORATIVE APPROACH TO ADDRESSING REGIONAL HOUSING NEEDS.”**

8. Items Removed from the Consent Agenda

Nil

9. Legislative Reports

Nil

10. Unfinished Business

Nil

11. New Business**(a) Annual General Meeting****(i) Presentation of the Annual Report 2015**

It was MOVED and SECONDED:

R145/2016 **“THAT THE 2015 ANNUAL REPORT BE RECEIVED.”**

Mayor McEwen presented the following required subjects for the annual report:

- Audited Financial Statements
- Report on Permissive Tax Exemptions
- Declarations or Disqualifications
- Report on Municipal Operations and Services for the Previous Year (2015)
- Statement of Objectives and Measures for Current and Following Years
- Progress Report for Previous Years’ Objectives

NB: Two public questions were received. No public comments were received.

CARRIED UNANIMOUSLY

(ii) Presentation of the Statement of Financial Information

Juli Kolby presented the following subject overview:

- Remuneration and expenses are outlined for all members of Council, and any employee that had a salary in excess of \$75,000 per year
- Statement of severance agreement
- Payments made to suppliers, with suppliers named if payments exceeded \$25,000
- Reconciliation of the financial statement

It was MOVED and SECONDED:

R146/2016 **“THAT THE 2015 STATEMENT OF FINANCIAL INFORMATION BE RECEIVED.”**

NB: No public questions were received. No public comments were received.

CARRIED UNANIMOUSLY

(b) Hazardous Drainage Conditions at 176 Wollny Court

It was MOVED and SECONDED:

R147/2016 **“THAT COUNCIL HEREBY DECLARE THE RETAINING WALL LOCATED AT THE NORTH PROPERTY LINE OF 176 WOLLNY COURT IS IN, OR CREATES, AN UNSAFE CONDITION AND IS A NUISANCE WITH RESPECT TO SECTION 74 OF THE *COMMUNITY CHARTER*; AND THAT COUNCIL ORDERS THE OWNER OF THE PROPERTY, WALDEMAR DOMZAL AND DANUTA DOMZAL, TO INSTALL DRAINAGE MEASURES THAT PREVENT THE DISCHARGE OF STORM WATER FROM THE RETAINING WALL TO 176 WOLLNY COURT WITHIN THIRTY-FIVE (35) DAYS AFTER RECEIPT OF THIS ORDER; AND THAT COUNCIL ORDERS THE OWNERS OF 176 WOLLNY COURT, WALDEMAR DOMZAL AND DANUTA DOMZAL, TO OBTAIN A BUILDING PERMIT TO RECTIFY THE UNSAFE CONDITIONS OF THE RETAINING WALL WITHIN THIRTY (30) DAYS AFTER RECEIPT OF THIS ORDER; AND THAT COUNCIL AUTHORIZES STAFF TO UNDERTAKE THE REQUIRED WORK AND RECOVER THE ACTUAL COST FROM THE HOMEOWNERS, IN ACCORDANCE WITH SECTION 258 OF THE *COMMUNITY CHARTER*, SHOULD WALDEMAR DOMZAL AND DANUTA DOMZAL DEFAULT ON THE REMEDIAL ACTION REQUIREMENT ORDER.”**

CARRIED UNANIMOUSLY

12. Mayor's Report

Mayor McEwen reported that:

- On July 13, there was a Sasamat Board Trustees meeting; to pass the budget, discuss arrival of the new fire truck in December, and new signage that will be located in front of the fire hall to indicate fire rating.
- On July 14, he and Councillor Weverink attended a dinner hosted in Belcarra
- On July 15, he ran in the Port Coquitlam Grand Prix, and it was a spectacular event.
- On July 22, he did a full-day Metro Vancouver Parks tour, including visits to UBC, the Surrey Bend, and Derby Reach.
- A few hours ago today he spoke to a CTV news reporter about Anmore, which focused on the old Ma Murray house, and the challenges faced by the Village for community involvement, retaining the rural lifestyle, and budgetary issues.

13. Councillors Reports

Councillor Thiele reported that:

- Ma Murray Day is on September 11, and we are looking for people to register for the car show, the talent show and market, and a lawn mower race.
- She congratulates the Sasamat Volunteer Fire Department as they reached their goal of \$60,000 to buy the breathing apparatus, and thanks the residents of Anmore and Belcarra who provided most of the donations.

Councillor Weverink reported that:

- He enjoyed the Northeast Sector Council Meeting on Affordable Housing.
- He will be running the Anmore Youth Talent Show, and hopes to have participants this year as he enjoys doing it.
- The next Parks Committee meeting will be in September, and he would like to bring forward an Adopt a Trail program.

It was MOVED and SECONDED:

R148/2016

"TO REFER THE CONCEPT OF AN ADOPT A TRAIL PROGRAM TO THE PARKS COMMITTEE."

CARRIED UNANIMOUSLY

14. Chief Administrative Officer's Report

Juli Kolby reported that:

- She has spent a lot of time on getting the trailer set up, which will include:
 - air conditioning once full power is connected, within the next couple of weeks
 - all of the records moved from the old village hall and stored in the trailer
 - an office re-shuffle once items have been moved to storage, to facilitate more efficient use of office space, and

- development of a program for approval by council that will permit different community uses for the trailer
- A number of 'No Parking' signs have been installed throughout the Village, which will be effective in connection with Coquitlam Towing.
- Spirit Park will be filled, with fill being donated by local trucking companies which is why it is taking longer than it would otherwise. Staff anticipates fill to be completed by Ma Murray Day, and will then be seeded/grassed in time for fireworks at end-October.
- There is currently a call out for nominations for the Community Spirit Award.
- Two RFP's have both closed; one for the relocation of the Ma Murray Homestead, where one response was received, and one for a rebranding exercise for the Village to update its brand identity and logo.
- She will leave the Metro Vancouver Affordable Housing Strategy at the back of the room for anyone interested in reading it.
- The Village finally received an inspection for the solar panels and it is fully connected and drawing power.

Council requested that staff monitor what is being put back into the grid from the solar panels.

15. Information Items

(a) Committees, Commissions, and Boards – Minutes

Nil

(b) General Correspondence

- Letter dated June 27, 2016 from City of Coquitlam regarding Diagnosis of Work Related Mental Health Injuries Among First Responders

16. Public Question Period

Teresa Reid, Anmore resident, asked a question regarding the letter she sent to Mayor McEwen yesterday by email.

Mayor McEwen reported that between 10:10-11:30 a.m. today, speed watch recorded 176 vehicles, with 11 traveling between 10-19 km over the limit, and no cars were found to be excessively speeding. Speed Watch had advised that they wouldn't include Anmore, however, they attended at our Constables request.

Lynn Burton, Anmore resident, asked a question regarding the connection of the solar panels.

Lynn Burton, Anmore resident, asked a question regarding the cost to rent the trailers.
Stuart Reid, Anmore resident, asked a question regarding the time chosen for the speed watch.

Stuart Reid, Anmore resident, asked a question regarding knowledge of licence plate information being collected by Speed Watch.

17. Adjournment

It was MOVED and SECONDED:

R149/2016 **"TO ADJOURN."**

CARRIED UNANIMOUSLY

The meeting adjourned at 8:02 p.m.

Certified Correct:

Approved by:

Christine Milloy
Manager of Corporate Services

John McEwen
Mayor

Received by the Manager of Corporate Services June 27, 2016

From: CFIB_BC [<mailto:MS.BC@cfib.ca>]
Sent: June-22-16 4:11 PM
To: CFIB_BC <MS.BC@cfib.ca>
Subject: CFIB's 2016 BC Property Tax Gap Report

Dear Mayor and Council,

As you may know The Canadian Federation of Independent Business (CFIB) is a non-profit, non-partisan business association that seeks to give independent business a greater voice in determining the laws that govern business and the country. With 109,000 members across Canada, and 10,000 in BC, we are the largest organization exclusively representing the interests of small- and medium-sized businesses (SMEs) to all levels of government.

I would like to take this opportunity to share the results of the [10th edition of our Property Tax Gap Report](#) with you. For additional ratings and breakdowns by region, please also review the [charts and news release](#) applicable to your area.

BC's largest municipalities continue to levy an unfair property tax burden on small business. The 2016 edition of the BC Property Tax Gap Report focuses on the 20 largest municipalities in BC and examines recent trends in the disparity between commercial and residential property tax rates, also known as the "tax gap". The gap is a measure of property tax fairness for small business. Scrutiny of this gap is critical as property taxes cripple businesses – a recent survey showed 61 per cent of small businesses consider it the most harmful tax.

The report contains a comprehensive list for the tax gap in 161 municipalities across the province, with details on their tax gaps and how they've progressed over the past one, five, and ten years. In 2015, the average tax gap for all BC municipalities was 2.60, meaning business owners pay over 2.5 times what residents pay on the same valued property.

However, after ten years of the Canadian Federation of Independent Business (CFIB) highlighting the unfairness of the tax system, some municipalities are starting to take action. The tax gap once again narrowed – after rising from 2.74 in 2005 to a peak of 2.90 in 2009, the gap now stands at 2.60 in 2015.

The report also highlights a worrisome trend; as municipalities grow, they tend to put a greater tax burden on businesses. The tax gap for the twenty largest cities in BC stood at 3.04 in 2015, far above the provincial average of 2.60. The worst tax gaps were among some of the most populous municipalities in BC: Coquitlam at 4.24, Vancouver at 4.15 and Burnaby at 3.98.

On a brighter note, the major municipalities' tax gap has also fallen in recent years, down from a 2006 peak of 3.64. However, it remains far too high and continues to burden businesses, slowing down economic growth in BC.

To ease the municipal property tax burden on small business, municipal governments should:

- 1. Cap the property tax gap between businesses and residents at a maximum of 2 to 1.**
- 2. Provide earlier property tax notices for commercial taxpayers.**
- 3. Allow commercial taxpayers to remit taxes in monthly or quarterly installments.**
- 4. Extend the homeowners' grant to business owners occupying live/work spaces.**
- 5. Close the gap without raising the business tax rate.**
- 6. Move away from utilizing a flat tax rate for residential properties.**

We look forward to receiving a written response from you regarding the property tax gap in your municipality. Please do not hesitate to call if you have questions.

Sent on behalf of Aaron Aerts, BC Economist

Sean Rognon

T: 604-684-5325 | 1 888-234-2232

F: 604-684-0529

[@cfibBC](#)

CFIB: Defending Small Business for 45 Years

August 9, 2016

TO: Mayor & Council
FROM: Mayor Galina Durant, District of Stewart
Small Community Representative
RE: **Small Talk Forum 2016**

As your Small Community Representative I wish to advise you of the upcoming UBCM Convention, specifically the Small Talk Forum on the morning of Tuesday, September 27 at the Victoria Conference Centre (Carson Hall B & C).

The Small Talk Forum for communities with a population under 5,000, now in its 27th year, continues to be one of the most popular sessions at the Convention. Your direct involvement has made the Forum a repeat success, and in 2016 we encourage you to complete and return the attached Small Talk Forum response form, sharing any issues facing your community. Then, come to the Forum prepared with background information related to these issues, or solutions to similar issues facing other communities.

If you have a best practice or success story to share, please add it to the attached Small Talk Forum response form as well. This is an opportunity for small communities to share tips and information and help one another with day-to-day challenges. For instance, has your community completed (or is undertaking) a project or initiative that you think would be informative for other small communities? Here's your chance to tell your story!

Again, please complete and return the attached Small Talk Forum response form via email to bsihota@ubcm.ca. *We will distribute the list of issues at the Forum and will endeavour to address some of these issues ahead of time.* We will also have a facilitator and resource persons on hand to help.

We hope that you will be able to take part and encourage you to submit your issues and success stories.

I look forward to welcoming you to the 2016 Small Talk Forum in Victoria!

Please distribute this memo to Mayor & Council

Small Talk Forum

Tuesday, September 27, 2016 (9:00 am - Noon)

We would like to talk about:

Topic#1 (explain):

Topic#2 (explain):

Best Practice/Success Story (if applicable):

UBCM staff will distribute the list of issues at the Forum and may endeavour to address some of these issues ahead of time in order to streamline discussion at the Forum.

Please have someone from your community attend to provide background on each issue.

Name:

Position:

Local Government:

Tel:

Email:

Please complete and return this form by email to bsihota@ubcm.ca by Friday, August 26, 2016.



VILLAGE OF ANMORE

REPORT TO COUNCIL

Date: August 10, 2016

Submitted by: Juli Kolby, Chief Administrative Officer

Subject: Award of Rebranding Exercise Contract

Purpose / Introduction

To obtain Council approval to award the contract for the rebranding exercise to Ion Design Inc. dba Ion Brand Design.

Resolutions

1. THAT Council approve the award of the rebranding exercise project contract to Ion Design Inc dba Ion Brand Design for a total of \$38,000, not including the optional work, as recommended in the report dated August 10, 2016 from the Chief Administrative Officer regarding Award of Rebranding Exercise Contract.

OR

2. THAT Council not approve the award of the rebranding exercise project contract to Ion Design Inc dba Ion Brand Design and provide direction to staff.
-

Background

At the July 26, 2016 in-camera Council meeting, the following resolution was passed:

"THAT COUNCIL NOT APPROVE THE AWARD OF THE REBRANDING EXERCISE PROJECT CONTRACT TO ION DESIGN INC DBA ION BRAND DESIGN AND STRIKE A WORKING GROUP, INCLUSIVE OF MAYOR MCEWEN, COUNCILLOR FROESE, COUNCILLOR THIELE AND COUNCILLOR WEVERINK, TO EVALUATE THE PROPOSALS SUBMITTED AND AWARD THE CONTRACT;

AND THAT COUNCIL AUTHORIZE THE IMMEDIATE RELEASE OF THE FOREGOING RESOLUTION TO THE PUBLIC."

Report/Recommendation to Council
Award of Rebranding Exercise Contract
August 10, 2016

Discussion

Members of the working group met at an in-camera meeting on August 10, 2016 to discuss their individual evaluations of the thirteen (13) proposals received. The following resolution was passed at that meeting:

"THAT THE WORKING GROUP RECOMMEND THE AWARD OF THE REBRANDING REQUEST FOR PROPOSALS TO ION DESIGN INC DBA ION BRAND DESIGN;

AND THAT COUNCIL AUTHORIZE THE IMMEDIATE RELEASE OF THE FOREGOING RESOLUTION TO THE PUBLIC."

Financial Implications

The award of this contract is within the allocated budget approved by Council.

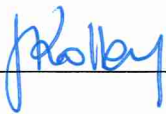
Communications / Civic Engagement

The contractor awarded the work will develop a civic engagement plan to solicit feedback from all stakeholders including, but not limited to: Council, staff, residents, business owners and developers. The awarded contractor will be advised following Council's decision.

Corporate Strategic Plan Objectives

The award of this contract will address Council's Strategic Initiative of Creating a Community and Corporate Identity/Brand.

Prepared by:



Juli Kolby
Chief Administrative Officer

JUL 18 2016

File: CR-12-01
Ref: SD 2016 Jun 24

The Honourable Mary Polak
Minister of Environment
PO Box 9047, Stn Prov Govt
Victoria, BC V8W 9E2
VIA EMAIL: env.minister@gov.bc.ca

Dear Minister Polak:

Re: Mattress and Bulky Furniture Extended Producer Responsibility

At its June 24, 2016 regular meeting, the Board of Directors of the Greater Vancouver Sewerage and Drainage District ('Metro Vancouver') considered a report on issues related to mattress recycling and disposal in the Metro Vancouver region and adopted the following resolution:

That the GVS&DD Board:

- a) write a letter to the Minister of Environment requesting an amendment to the B.C. Recycling Regulation to require the implementation of an Extended Producer Responsibility (EPR) program for mattresses and other bulky furniture by 2017; and*
- b) copy all municipalities and regional districts in the Province on the letter.*

The Province of B.C. has been a leader in implementing extended producer responsibility (EPR) programs for a broad range of products, including most recently packaging and printed paper, has improved the management of many products in British Columbia. Responsibility for recycling these products has been shifted from municipalities to producers, convenient systems have been put in place for recycling of materials that may create negative environmental impact, and producers are now considering the full-life cycle impacts of their products by implementing design changes.

Building upon the success of current EPR programs, Metro Vancouver believes that it is important to move forward with the implementation of EPR programs for mattresses and bulky furniture. Mattresses and other furniture are specifically identified in the Canadian Council for Ministers of the Environment Canada-Wide Action Plan for EPR as targets for new EPR programs by 2017. The Ministry of Environment has previously communicated its intent to implement EPR programs for mattresses and bulky furniture by 2017.

An estimated 165,000 mattresses are recycled each year in the Metro Vancouver region, of which approximately 60,000 are handled at Metro Vancouver transfer stations. An additional 32,000 mattresses and 59,000 bulky furniture items are picked up by municipalities, either through illegal dumping clean-up programs or large item pick-up programs. Recycling generates significant energy

savings and greenhouse gas benefits, but at significant cost to taxpayers. Metro Vancouver estimates the cost to regional taxpayers of illegal dumping clean-up and bulky items pick-up programs for mattresses and bulky furniture to be as high as \$5,000,000 per year.

Establishing an EPR program for mattresses and bulky furniture would result in a number of benefits:

1. The cost for collection and recycling of mattresses and bulky furniture would be incorporated into the price of the items rather than being funded by municipal taxpayers.
2. Variability in commodity markets would not impact the potential for recycling mattresses.
3. Mattress production could be changed or alternatively innovative recycling systems could be implemented to manage hard-to-recycle products such as pocket-coil mattresses
4. Mattresses could be recycled by businesses and residents free of charge, reducing the potential for illegal dumping

Within the last year or so, new mattress EPR programs have launched in California, Connecticut and Rhode Island. Given a common pool of mattress and bulky furniture brand owners operating in the United States and Canada, this is a key time to begin moving forward to include these product categories in the *B.C. Recycling Regulation*.

We thank you in advance for your consideration of this request. We would be pleased to discuss how we can work together as partners to facilitate the implementation of this and other EPR programs. Please feel free to contact me to discuss further, or have your staff contact Andrew Doi of the Solid Waste Services Department.

Yours truly,



Greg Moore
Chair, Metro Vancouver Board

GM/PH/sw

cc: All Municipalities and Regional Districts in the Province of BC

Encl: "Mattress Recycling Update" Report to GVS&DD Board dated June 24, 2016 (Doc# 17939528)

To: Zero Waste Committee

From: Sarah Wellman, Senior Engineer, Solid Waste Services

Date: May 26, 2016

Meeting Date: June 9, 2016

Subject: **Mattress Recycling Update**

RECOMMENDATION

That the GVS&DD Board:

- a) write a letter to the Minister of Environment requesting an amendment to the B.C. Recycling Regulation to require the implementation of an Extended Producer Responsibility (EPR) program for mattresses and other bulky furniture by 2017; and
 - b) copy all municipalities and regional districts in the Province on the letter.
-

PURPOSE

The purpose of this report is to update the Greater Vancouver Sewerage and Drainage District ('Metro Vancouver') Board on issues related to mattress recycling in the region and seek direction to write the Minister of the Environment to request that the Province implement an EPR program for mattresses and other bulky furniture.

BACKGROUND

At its April 27, 2012 meeting, the GVS&DD Board adopted the following resolution:

That the Board request the Chair to send a letter to the Provincial Government highlighting the importance of implementing an Extended Producer Responsibility program for mattresses and other large furniture items.

The Board Chair's letter is attached (Attachment 1) along with the response from the Ministry of Environment (Attachment 2).

In 2014, Maple Ridge submitted the following UBCM resolution requesting an EPR program for mattresses:

2014 B97: Maple Ridge

WHEREAS the Province is transitioning responsibility for end-of-life management of goods to industry through the use of product stewardship program as governed by the BC Ministry of Environment Recycling Regulation;

AND WHEREAS there is currently no product stewardship program for used mattresses and improperly discarded mattresses have to be disposed of by local government at taxpayers expense:

THEREFORE BE IT RESOLVED that UBCM request the provincial government to require industry to develop a product stewardship program to adequately address end-of-life management of waste mattresses.

This resolution was endorsed by UBCM, and received the following response from the Ministry of Environment:

The Ministry of Environment supports UBCM's request to include waste mattresses under future product stewardship programs to ensure the costs associated with managing these commonly discarded products are transferred to the producers responsible. In fact, the Ministry has committed to meeting the targets set out in the Canadian Council of Ministers of the Environment's (CCME) Canada-wide Action Plan for Extended Producer Responsibility (EPR) programs – including those for construction and demolition materials, furniture (including mattresses, hide-a-beds, etc.), textiles, carpets and appliances by 2017. BC continues to lead all jurisdictions in this regard. Continued efforts in the Lower Mainland to collect and recycle these items are encouraged as they will not only support waste diversion, but will help establish this industry as a proven entity and inform future consultations regarding the upcoming EPR program for mattresses.

An estimated 160,000 to 170,000 mattresses are recycled each year in the Metro Vancouver region, of which approximately 60,000 are handled at Metro Vancouver transfer stations with the remainder delivered directly to the mattress recyclers either by private industry, private pick up services, or by municipalities that offer collection services and/or pick up illegally dumped mattresses.

In 2011, the *Tipping Fee and Solid Waste Disposal Regulation Bylaw* (Tipping Fee Bylaw) was changed to ban mattresses from disposal due to operational impacts and to encourage mattress recycling. Mattresses are received at Metro Vancouver transfer stations for \$15 per unit to pay for the cost of recycling the mattresses.

Due to challenges recycling pocket coil mattress springs, in 2015, the Tipping Fee Bylaw was amended to provide a \$25 discount per tonne at the Waste-to-Energy Facility for loads containing more than 85% metal in recognition of the value of the metal in loads, and also to help reduce costs for mattress recyclers with no recycling alternative for these pocket coil springs.

At the September 10, 2015 Zero Waste Committee directed staff to report back to the Committee on:

the effectiveness of the mattress surcharge

MATTRESS AND OTHER BULKY FURNITURE DISPOSAL AND RECYCLING

The past practice of disposing of mattresses commingled in the waste stream was operationally challenging due to the bulkiness of mattresses, which makes them difficult to handle during waste pickup and transport. Their low density makes them undesirable landfill material, and the springs have a tendency to impact landfill and transfer station equipment (e.g. puncture hydraulic systems). Removal of mattresses from the waste stream has helped reduce maintenance on transfer station and landfill equipment.

The majority of the mattresses collected at transfer stations are recycled. In mattress recycling there are secondary markets for the steel of the innerspring unit, the polyurethane foam, the cover (toppers), the cotton, and the wood. According to the May 2012 CalRecycle Study “Mattress and Box Spring Case Study: The Potential Impacts of Extended Producer Responsibility in California on Global Greenhouse Gas (GHG) Emissions”, mattress and box spring recycling and component reuse generates significant energy and greenhouse gas benefits.

Pocket coils are difficult to recycle, as it is challenging to separate the metal from the fabric. Metro Vancouver is currently accepting pocket coil mattresses at the Waste-to-Energy Facility, and recovers the metal for recycling.

Up until recently, there were three private companies in the region recycling over 160,000 mattresses. Metro Vancouver’s disposal ban on mattresses has been key in the development of this industry. With declining metal prices mattress recycling companies have faced economic challenges because historically metal was the primary revenue source from recycling mattresses.

As of May 2016, one of the recycling companies, Recyc-Mattress, stopped accepting mattresses. Without an EPR program in place for mattresses, the net costs for mattress recycling must be charged to residents, businesses and the public sector dropping off mattresses for recycling. Over the last two years, Metro Vancouver’s drop-off costs at the private recycling facilities have increased from \$9 to \$13 per unit. Metro Vancouver has maintained drop-off fees at \$15 at transfer stations despite the increased recycling costs to reduce the potential for illegal dumping.

With the temporary closure of Recyc-Mattress, there have been more discarded mattresses than the local capacity for recycling. As a result, Metro Vancouver is temporarily stock-piling some mattresses, and may need to send some mattresses to landfill. This issue highlights the need for an EPR program for mattresses to stabilize the recycling capacity in the region regardless of commodity prices.

Other bulky furniture such as couches are recyclable in the same manner as mattresses, and these products are also a challenge from a disposal perspective due to their bulk and the presence of springs. The cost of recycling couches is approximately \$30 – \$45 per unit. If an EPR program for mattresses and bulky furniture was put in place, couches and other bulky furniture could be banned from disposal, dramatically increasing recycling of these products and reducing impacts on the disposal system.

Illegal Dumping

Illegal dumping is an ongoing concern in the region. It causes environmental, health and social impacts, and is a considerable resource and financial burden on governments, businesses and residents. In particular, municipalities often bear the majority of costs associated with reactively cleaning up and disposing of abandoned waste.

Despite the availability of recycling programs provided by Metro Vancouver and the private sector, illegal dumping of mattresses is common in the region.

The resident’s principal barriers to mattress recycling in the region include:

- difficulty and cost of transporting mattresses to transfer stations or appropriate recyclers,
- recycling fee charged when a customer drops off a mattress, and

These barriers contribute to continued incidents of illegal dumping in many member municipalities.

An estimated 10,000 mattresses and 16,000 other pieces of large furniture are abandoned each year in the region with an average municipal unit cost for collection of \$50 per unit (includes labour, and transportation), which leads to a cost of approximately \$1,300,000 per year for member municipalities.

Anecdotally, the highest portion of abandoned mattresses occur in urbanized areas with a transient population near apartment complexes or multi-family dwellings. In these areas, many residents do not own vehicles, rely solely on public transportation, or own small vehicles not suitable for transporting large and bulky mattresses.

It is uncertain as to the relative impact of recycling fees compared to transportation barriers in determining the number of illegally dumped mattresses. Drop-off revenues for mattresses at Metro Vancouver and City of Vancouver transfer stations equal approximately \$900,000 per year, and cover most of the cost of recycling these mattresses. Reduction or elimination of these fees is unlikely to eliminate illegal dumping and as such reduction or elimination of fees would result in a net cost. Drop-off fees could be eliminated if an EPR program for mattresses is put in place.

Large Item Pick-Up Programs in the Region

Many municipalities have implemented large item pick-up programs as a way to reduce incidents of illegal dumping. These programs are generally available only to residences served by municipal garbage collection. There are a combination of various features in member municipalities' programs, including the types of materials collected, pick-up limits, housing types serviced, collection frequency, collection fee, etc. Approximately 22,000 mattresses and 43,000 pieces of furniture are picked up through large item pick-up programs each year.

EPR Program for Mattresses

There is urgent need for an EPR program for mattresses and other bulky furniture in the region. Lack of an EPR program increases the potential for illegal dumping of these items and transfers costs to municipalities that must pick-up illegally dumped items. In many cases municipalities incur additional costs by offering large item pick-up programs at no cost to residents to reduce the potential for illegal dumping. Recent changes to commodity markets have reduced the economic viability of local mattress recycling businesses and may result in the requirement to landfill recyclable mattresses. The Ministry of Environment has previously communicated that they targeted implementing an EPR program for mattresses and bulky furniture by 2017. The typical timeframe for EPR programs to be implemented following a change to the Recycling Regulation is approximately 18 months, and as such, even if a change to the Recycling Regulation is made in 2016, it could be 2018 before a program is in place. It is important to highlight to the Ministry of Environment the urgent need to proceed with an EPR program for mattresses and other bulky furniture.

ALTERNATIVES

1. That the GVS&DD Board:

- a) write a letter to the Minister of Environment requesting an amendment to the B.C. Recycling Regulation to require the implementation of an Extended Producer Responsibility (EPR) program for mattresses and other bulky furniture by 2017; and
- b) copy all municipalities and regional districts in the Province on the letter.

2. That the Zero Waste Committee receive the report titled “Mattress Recycling Update”, dated May 26, 2016 for information and provide alternate direction to staff.

FINANCIAL IMPLICATIONS

If the Board approves Alternative 1, correspondence will be sent to the Minister of Environment to advocate for an EPR program for mattresses and other bulky furniture.

SUMMARY/CONCLUSION

An estimated 160,000 to 170,000 mattresses are recycled each year in the Metro Vancouver region, of which approximately 60,000 are handled at Metro Vancouver transfer stations. Mattress recycling generates significant energy and greenhouse gas benefits, and reduces Metro Vancouver’s operational and maintenance costs when compared to disposal. A mattress recycling fee is collected by Metro Vancouver at the transfer stations, and paid to mattress recyclers to help cover the cost of dismantling and recycling mattress components.

Many municipalities have developed large item pick-up programs to reduce the incidences and costs associated with illegal dumping.

An EPR program for mattresses and bulky furniture is urgently needed, as changes to commodity markets have reduced the economic viability of local recycling businesses and may result in the requirement to landfill potentially recyclable mattresses. Lack of an EPR program increases the potential for illegal dumping of these products and transfers costs to municipalities. There is a need to continue to urge the Minister of Environment to address this ongoing issue and to introduce an EPR program for mattresses and other bulky furniture and therefore staff recommend Alternative 1.

Attachments and References:

Attachment 1: Letter from Chair Moore to Minister Terry Lake, dated June 19, 2012

Attachment 2: Letter from Minister Terry Lake to Chair Moore, dated December 11, 2012

17939528


metro vancouver

Greater Vancouver Regional District • Greater Vancouver Water District

Greater Vancouver Sewerage and Drainage District • Metro Vancouver Housing Corporation

4330 Kingsway, Burnaby, BC, Canada V5H 4G8 604-432-6200 www.metrovancouver.org

Office of the Chair
Tel. 604-432-6215 Fax 604-451-6614

JUN 19 2012

File: CR-24-03-EPR
RT: 3960

The Honourable Terry Lake
Minister of Environment
PO Box 9047, Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Lake: *TERRY*

Re: Acceleration of an Extended Producer Responsibility (EPR) Program for Mattresses and Large Upholstered Furniture

As part of the Canadian Council of Ministers of the Environment (CCME) Canada-wide Action Plan for EPR, all provinces committed to implementing a program for furniture, including mattresses, by the Phase II target of 2017.

The leadership demonstrated by the Province, Metro Vancouver and others, has created a robust recycling industry for mattresses and large upholstered furniture, with three processors located in the Lower Mainland. With the recent emergence of this local recycling industry, Metro Vancouver implemented a ban on the disposal of mattresses at regional disposal facilities in January 2011. A \$20 per mattress fee was charged to cover the costs of collection, transportation and processing. In 2011, over 125,000 mattresses were recycled into their wood, metal, foam, and fibre components, leading to over 70 green jobs added in this recycling sector. These valuable natural resources were reused and/or recycled thereby avoiding the disposal of these materials in landfills and the extraction of new natural resources.

While this initiative has been an overwhelming success from an environmental perspective, the combination of the ban and the \$20 per unit fee has resulted in the unintended consequence of illegal dumping by a minority of individuals unwilling to pay a fee for responsible management of products at the end of their useful life. As a result, municipalities incur significant costs to responsibly manage these products, as opposed to the manufacturers, producers, distributors and retailers who do not currently bear the full environmental cost to manage their products.

We ask that the Ministry of Environment amend the Recycling Regulation to include mattresses and large upholstered furniture and accelerate the implementation of this EPR program to 2015. This request to accelerate EPR implementation is explicitly stated in action 1.1.10 of our Integrated Solid Waste and Resource Management Plan which was approved last year. The infrastructure and regulatory structure already exists in Metro Vancouver and could be easily extended throughout the Province.

We thank you in advance for your kind consideration of this request. We would be pleased to discuss how we can work together as partners to facilitate the acceleration of this and other EPR programs. Please feel free to contact me to discuss this matter further, or have your staff contact Andrew Doi, Environmental Planner, at 604-436-6825.

Yours truly,



Greg Moore
Chair, Metro Vancouver Board

GM/PH/ad



Reference: 171883

DEC 11 2012

Greg Moore, Chair
and Directors
Metro Vancouver Board
4330 Kingsway
Burnaby BC V5H 4G8

Dear Chair Moore and Directors:

Thank you for your letter of June 19, 2012, regarding the acceleration of an extended producer responsibility (EPR) program for mattresses and large upholstered furniture in British Columbia (BC). I apologize for the delay in responding.

As you may know, BC has recently been recognized for its leadership position on EPR. BC has more EPR programs than any jurisdiction in Canada and is further advanced towards fulfilling its Canadian Council of Ministers of Environment Canada-wide Action Plan (CAP) for EPR.

A date for the addition of mattresses and large upholstered furniture to the Recycling Regulation has not been set at this point in time. Ministry of Environment staff are currently actively engaged on the implementation of the packaging and printed paper product category under the Recycling Regulation. Further product additions to the Regulation will be addressed in priority sequence.

The Ministry's 2011/12 – 2013/14 Service Plan highlights our commitment to the CAP for EPR. The CAP recommends that EPR programs be implemented by 2017 for construction and demolition materials, furniture, textiles, carpets and appliances, including ozone-depleting substances. We are making every effort to meet these 2017 targets, and I would like to assure you that mattresses and large upholstered furniture will be included in future discussions.

I would like to acknowledge and commend Metro Vancouver for extending, as documented in action 1.1.3 under Goal 1 of the Metro Vancouver Integrated Solid Waste and Resource Management Plan, the offer to provide staffing support and partner with the Ministry to help advance EPR in the province. This offer of support has the potential to assist in steering waste diversion activities in a manner that will ultimately eliminate waste or effectively manage it as a resource.

...2

Ministry of
Environment

Office of the
Minister

Mailing Address:
Parliament Buildings
Victoria BC V8V 1X4

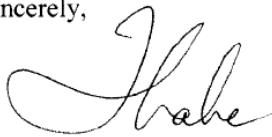
Telephone: 250 387-1187
Facsimile: 250 387-1356

I see the recent Memorandum of Understanding (MOU) on EPR between Metro Vancouver and the Ministry as a promising start to Metro Vancouver's commitment to advance EPR in collaboration with the Province and I encourage the use of the MOU as the mechanism to capture opportunities where Metro Vancouver and the Province can work together to develop new EPR programs.

If you have any further suggestions for the development of EPR programs, or any questions about the content of this letter, please do not hesitate to contact Ms. Meegan Armstrong, Head of Industry Product Stewardship in the Ministry of Environment, at 250 387-9944 or by email at Meegan.Armstrong@gov.bc.ca.

Thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Lake', with a large, stylized initial 'T'.

Terry Lake
Minister of Environment

Received by the Manager of Corporate Services July 26, 2016

-----Original Message-----

From: [redacted] [mailto:[redacted]]

Sent: July-26-16 11:15 AM

To: Village.hall@anmore.com

Cc: Anmore Times <online@anmoretimes.com>

Subject: Request to have this letter to be included at Anmore Council meeting Tuesday July 26

To Anmore Village

Please can you add this letter to the Agenda and Minutes of tonight's Council meeting and have it read to Council as we will be out of town.

Thank you

Jane and Mike Story

[redacted]

Anmore

Dear Mayor and Council,

We are unfortunately out of town for tonight's Council Meeting, we are escaping the road construction and development noise surrounding us, so ask that this letter be included in your agenda and read out during the meeting.

We would like to express our concern and disappointment in Anmore's Council. We feel they have not paid any attention to our concerns regarding the Bella Terra Development that is surrounding us at our address on Eaglecrest Drive. Only one Council member came to talk to us regarding our request to reconsider placement of a fire hydrant on Eaglecrest Drive. We were not informed of fire hydrant placement until the Bella Terra engineer and Matcon supervisor were painting orange lines on the road in front of our house and the machinery was already turning from Sunnyside Road onto Eaglecrest Drive. After discussions with Anmore and Port Moody Fire Departments, other BC City Engineers, Mortgage Brokers and Property Developers we came to the conclusion that there are many other options of placement of the fire hydrant that would better serve the interests of all the residents of Eaglecrest Drive, and that it is in the interests of all developers to maintain a good relationship with existing residents of an area that is directly impacted by their development.

Our efforts to be heard by Anmore Council and Village Engineer were shot down by constant reminders that we inadvertently planted a hedgerow onto Village road allowance, and therefore our requests for discussion were not relevant, even though we have been tax paying residents for 15 years, and there are many other examples of enhancing road allowance encroachment in Anmore.

We would also like to have it known how devastating the Bella Terra Development has been to the forest and natural history of the Anmore area, and will mean a large influx of vehicles and noise to the area which will impact all roads leading through Anmore for years to come.

With regards to the impact to the red legged frogs that are a concern to many existing residents of Anmore...I'm not sure if anyone sent a memo to the frogs, but the devastation to their habitat, the

closeness of the development to the creek and the lack of concern shown to their survival is horrifying, and I doubt the frogs will get a memo when their new and improved riparian corridor is ready for their return.

In conclusion we would like to say that we are shocked by the apparent lack of concern our Anmore Mayor and Council have for the future of the Anmore community, the reason we live here has gone. Council are leaving a legacy of change not for the better of existing Anmore residents, and we will no longer be proud of where we live, nor attending any Anmore events, and will certainly not be voting for you or encouraging anyone else to vote for you in the next election.

We hope you are proud of what you are doing to our community, well done, big business and the almighty dollar rules over the little guy again.

Thank you for at least acknowledging our concerns and opinion here at this Council Meeting for current and future residents to consider and evaluate.

Jane and Mike Story

[REDACTED]

Anmore, B.C.



The Right Honourable Justin Trudeau, PC MP
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

July 26, 2016

Dear Prime Minister Trudeau,

On behalf of Victoria City Council, I am writing to you to reiterate the City of Victoria's opposition to the Trans Mountain Pipeline Expansion Project and request that the Federal Government decline the application.

Through earlier engagement with our citizens leading up to the opportunity to speak as an intervenor we heard overwhelming opposition to the proposed pipeline from our citizens. Many expressed strong concerns about the increased potential for shipping accidents and oil spills.

Based on this feedback, and included with the City of Victoria's submission to the National Energy Board, the City of Victoria's position is that the project is not in the public interest as the risks to communities located along the pipeline route and the tanker shipping route far outweigh any potential benefits. This sentiment is consistent with many other local governments and First Nation governments along the pipeline and tanker routes, who also participated along with the City of Victoria as intervenors in the National Energy Board hearings.

Our communities are located in one of the most biologically rich and diverse bioregions in North America. Our extensive marine shorelines and coastlines encompass several sensitive ecosystems that are particularly vulnerable to the effects of an oil spill. The natural environment is very important to residents in the region, providing economic and social benefits, shaping our community's identity and supporting sectors such as tourism and recreation.

For these reasons, I am writing to ask that the Federal Government decline the Trans Mountain Pipeline Expansion Project application.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Helps".

Lisa Helps
Victoria Mayor

Cc. Honourable Christy Clark, Premier of BC
Union of BC Municipalities members

1 Centennial Square Victoria British Columbia Canada V8W 1P6
Telephone (250) 361-0200 Fax (250) 361-0348 Email mayor@victoria.ca

www.victoria.ca

June 9, 2016 Council:

THAT Council request that the Mayor, on behalf of Council, write to the Prime Minister of Canada, re-iterating the City of Victoria's opposition to the Trans Mountain Pipeline Expansion Project and requesting that the Federal Government decline the application.

AND THAT the City forward a copy of the letter to the Premier of British Columbia and member local governments of the Union of BC Municipalities, encouraging similar advocacy to the Federal Government to ensure the Trans-Mountain Pipeline Expansion Project does not proceed.

Alicia Ferguson
Committee Secretary
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0206

F 250.361.0348



**Legislative and
Regulatory
Services
Department**

Legislative Services

#1 Centennial Square

Victoria

British Columbia

V8W 1P6

Tel (250) 361-0571

Fax (250) 361-0348

www.victoria.ca



January 7, 2016

Ms. Sherri Young
Secretary of the Board
National Energy Board
517 Tenth Avenue SW
Calgary, Alberta
T2R 0A8

Dear Ms Young:

**Re: Hearing Order OH-001-2014
Trans Mountain Pipeline ULC (Trans Mountain)
Application for the Trans Mountain Expansion Project
City of Victoria Written Argument**

Please find attached the City of Victoria's Written Argument in the above-noted matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Chris Coates".

Chris Coates
City Clerk

**Hearing Order OH-001-2014
Trans Mountain Pipeline ULC (Trans Mountain)
Application for the Trans Mountain Expansion Project**

Written argument-in-chief of the City of Victoria

Table of Contents

Summary.....	2
Victoria's Interest in the Project	3
Project Risk	4
Marine oil spill probability	5
Potential marine oil spill effects - general	6
Potential marine oil spill effects - Victoria	13
Project Benefits.....	23
Comments on Draft Conditions	24
Conclusion	25

Summary

1. This is the final written argument of the Corporation of the City of Victoria (“Victoria”) with respect to Trans Mountain’s application to the National Energy Board (the “Board”) for a certificate of public convenience and necessity for the Trans Mountain Expansion Project (the “Project”).
2. For the reasons outlined below, Victoria submits that the Board must recommend that Trans Mountain’s application be dismissed because the Project is not in the public interest.¹
3. The public interest is defined in the Board’s Strategic Plan as “inclusive of all Canadians and refers to a balance of economic, environmental and social considerations that changes as society’s values and preferences evolve over time.”² The Project is not in the public interest because the risk to communities located along the tanker shipping route far outweigh any potential benefits.
4. The Board has identified twelve issues that will be considered during the hearing. The issue that is most relevant to Victoria and has been the focus of Victoria’s participation in the hearing to date is issue #5: “the potential environmental and socio-economic effects of marine shipping activities that would result from the proposed project, including the potential effects of accidents or malfunctions that may occur.” This submission will also focus on this issue.

¹ Section 52(2) of the [National Energy Board Act](#) outlines the considerations that the Board may take into account in making its recommendation regarding an application, including “any public interest that in the Board’s opinion may be affected by the issuance of the certificate or the dismissal of the application.”

² Found at <https://www.neb-one.gc.ca/bts/whwr/gvrnnc/strtgcpIn-eng.html>

5. The lack of submissions on the other eleven issues identified by the Board does not mean that Victoria has no concerns related to those issues or with the broader issues associated with the Project, such as the Project's contribution to climate change.

Victoria's Interest in the Project

6. Victoria is located on the southernmost tip of Vancouver Island. The shipping lanes for tankers carrying petroleum products from the Trans Mountain pipeline pass offshore within several kilometres of Victoria.
7. Victoria was incorporated on August 2, 1862 and is the Capital City of British Columbia.
8. Victoria is an urbanized municipality of 19.47 square kilometres, which serves as the metropolitan core for the Capital Region. According to the most recent federal census, in 2011, Victoria had a population of 80,017. The Capital Region had a population in 2011 of 344,615 and a land area of 2,340.48 square kilometres.³
9. If the Project is approved, the volume of product and number of tankers off the shores of Victoria will dramatically increase.
10. Victoria residents and Victoria City Council are very concerned about the environmental and socio-economic impacts to Victoria, its residents and businesses from Trans Mountain's proposed increase in tanker traffic, and particularly the impact of an oil spill.
11. Victoria City Council is responsible for:
 - providing for good government of its community,
 - providing for services, laws and other matters for community benefit,

³ Exhibit C84-2-2 – City of Victoria Evidence Submission ([A4L8Y1](#)) at page 2, paragraph 2.

- providing for stewardship of the public assets of its community, and
 - fostering the economic, social and environmental well-being of its community.⁴
12. A marine oil spill from a project tanker off the coast of Victoria will result in significant harm to the community's public assets and its economic, social and environmental well-being.
13. Public engagement conducted for purposes of this hearing clearly showed that Victoria residents are opposed to the Project.⁵ On April 30, 2015, Victoria formally expressed "its opposition to the proposed Trans Mountain Pipeline Expansion Project in light of the substantial risk to the economy and ecology."

Project Risk

14. Victoria's environment, economy and social well-being will be placed at great risk if the Project proceeds. Risk is often expressed as the probability of an event multiplied by its consequence. If the Project proceeds, the probability of a marine oil spill will increase significantly and the consequences could be catastrophic.
15. Victoria does not agree with Trans Mountain's assertion that the marine oil spill risk will remain the same if the Project is approved. It is clear that an increase in tanker traffic leads to an increased risk of an accident. Trans Mountain's own evidence indicates that the probability of a marine oil spill along the tanker route will increase significantly because of the Project from 1 spill in 309 years to 1 spill in 46 years.⁶

⁴ As outlined in section 7 of the [Community Charter](#), the provincial legislation governing British Columbia municipalities.

⁵ Exhibit C84-1-2 – City of Victoria Kinder Morgan Trans Mountain Pipeline Expansion Proposal Engagement Summary ([A4G3E6](#)) at page 38.

⁶ Exhibit B18-30 – V8A 5.2.5 to F5.3.2 MAR TRANS ASSESS ([A3S4Y4](#)) at page 1.

16. Victoria also does not agree that the current level of risk posed by tankers loading products from the existing pipeline is either acceptable or consistent with the public interest. If, as Trans Mountain suggests, the risk of an accident will be significantly reduced by its proposed enhanced risk control measures, those measures should be implemented now, regardless of whether the Project is approved.

Marine oil spill probability

17. Evidence presented by other intervenors demonstrates that even Trans Mountain's anticipated seven-fold increase underestimates the increased probability of a marine spill if the Project were to proceed.
18. An expert review of Trans Mountain's Marine Transport Risk Analysis commissioned by the Cowichan Tribes finds that "key conclusions drawn from the analysis are incomplete and misleading."⁷ The authors of the review identify a number of weaknesses associated with Trans Mountain's marine spill probability assessment, including the use of underlying data and inputs based on data and operating practices in the North Sea in the 1990's, rather than newer, local data and a failure to consider higher probability, lower consequence incidents. They conclude that "risk in the system is likely underpredicted."⁸
19. A report prepared for the Tsawout First Nation, Upper Nicola Band and Tsleil-Waututh Nation compares spill risk estimates using various accepted methodologies and concludes that:

Given the weaknesses in the methodology used in the TMEP application and the fact that this estimate is an outlier significantly below the estimates based on other methods,

⁷ Exhibit C86-12-5 – Appendix G to Written Evidence of Cowichan Tribes ([A4L9Z8](#)) at page 2.

⁸ Ibid. at page 3.

*the tanker spill risk estimate NewCase1c in the TMEP application is an inaccurate and unreliable estimate of tanker spill risk.*⁹

Potential marine oil spill effects - general

20. An oil spill along the tanker route will have significant, and potentially catastrophic, environmental, economic and social impacts to communities in the vicinity of the spill.
21. Trans Mountain identifies the following impacts that would result from a marine oil spill:
- environmental impacts on shorelines and near shore habitats, marine fish communities, marine birds and marine mammal and their respective habitats
 - economic impacts, such as impacts on commercial fishing, tourism and recreation and property damage
 - acute and chronic impacts on human health, and
 - impacts on community well-being, including psychological effects, impacts on cultural and heritage resources, aboriginal culture and subsistence use and local infrastructure and services.¹⁰
22. Victoria disagrees with Trans Mountain's conclusion that these environmental, economic and social impacts are not significant because they are not likely. It is clear that the Board considers likelihood of an adverse effect to be a separate determination from the effect's significance. The Board Filing Manual provides the following guidance to applicants evaluating the significance of environmental and socio-economic effects:
- Evaluating environmental and socio-economic effects consists of assessing:*
- *whether the effects are adverse;*
 - *whether the adverse effects are significant; and*

⁹ Exhibit C355-15-27 – Tsawout First Nation Expert Report. An Assessment of Spill risk for the TMEP ([A4Q1G5](#)) at page 5.

¹⁰ Exhibit B18-33 – V8A 5.5.2 F5.5.2 to 5.6.2.2 MAR TRANS ASSESS ([A3S5Q3](#)) at pages 4 to 26.

- *whether the significant adverse effects are likely.*

.....

The following criteria may be useful in assessing the significance of a project's adverse effects:

- *magnitude;*
- *duration;*
- *frequency;*
- *geographic extent;*
- *ecological context; and*
- *reversibility or degree of permanence.*

....

Assessing the likelihood of significant adverse effects must be based on the probability of occurrence and state the level of scientific uncertainty.¹¹

23. It is also clear from the language used to frame issue #5, that the Board must consider all "potential" effects of marine shipping activities in making its recommendation, and not just those that are "likely."
24. If the criteria outlined by the Board in its Filing Manual are used in assessing the significance of the Project's adverse effects, it is clear from Trans Mountain's own evidence that the potential effects of a marine oil tanker accident or malfunction are significant because they will be widespread, long-lasting and permanent.
25. Serious adverse socio-economic effects identified by Trans Mountain include permanent loss of critical heritage resources:

Heritage resources could be affected by a spill in a number of ways. Oil and clean-up activities can directly damage artifacts and sites or disturb their context, which may result in permanent loss of information critical to scientific interpretation.¹²

¹¹ [NEB Filing Manual](#) at page 86

¹² Exhibit B18-33 – V8A 5.5.2 F5.5.2 to 5.6.2.2 MAR TRANS ASSESS ([A3S5Q3](#)) at page 9.

26. Trans Mountain indicates that social impacts of a spill can persist for years and include an increase in destructive behaviours, such as drinking, drug abuse and domestic violence and an increase in serious medical conditions, such as depression, anxiety and post-traumatic stress disorder:

Research has shown that in the event of an oil spill, affected communities and individuals may experience a number of psycho-social effects. Culture is an important factor that affects the potential psycho-social effects of a spill. Documented effects include: declines in traditional social relations with family members, friends, neighbours and coworkers; a decline in subsistence production and distribution activities; perceived increases in the amount of and problems associated with drinking, drug abuse, and domestic violence; and a decline in perceived health status and an increase in the number of medical conditions verified by a physician including depression, anxiety and post-traumatic stress disorder. These effects may be short-term or persist for years in individuals or groups most directly affected by a spill.¹³

27. Trans Mountain also identifies serious environmental impacts associated with a marine oil spill. For example, Trans Mountain indicates that death of fish, birds, seals, sea lions, whales and otters should be expected from a spill at Race Rocks, a provincially-designated Ecological Reserve, which is located close to Victoria and selected for spill modeling purposes as “Location G.”

Shorebirds generally have low sensitivity to oiling when compared to other guilds... Heavily oiled individuals would probably die; however, and even lightly oiled individuals could transfer sufficient oil to eggs to cause egg mortality, if exposure occurred shortly before or during the period when eggs were being incubated. the potential for environmental effects on shorebirds of crude oil exposure from an accidental spill at this site is high.¹⁴

....

¹³ Ibid. at page 10.

¹⁴ Exhibit B18-35 – V8A 5.6.2.3.1 to T5.6.2.23 MAR TRANS ASSESS ([A3S4Y8](#)) at pages 11 and 12.

*There is a relatively high probability of exposure for aquatic birds in the event that an oil spill occurs. ... it is likely that seabirds would be exposed to oil, and would die as a result of that exposure, so that the effect magnitude would be high.*¹⁵

....

*There is a relatively high probability of exposure for seals and sea lions in the event of an accidental oil spill. While some level of negative effect would be expected for animals exposed to oil, the effects would not likely be lethal, except in the case of weaker animals such as pups or older and diseased animals.*¹⁶

....

*There is a relatively high probability of exposure for whales should an oil spill occur at this location. Some level of negative effect would be expected for animals exposed to oil, but the effects would not likely be lethal, except in the case of weaker animals such as calves or older and diseased animals, or animals that were exposed to heavy surface oiling and inhalation of vapours from fresh oil, as could occur in the immediate vicinity of the spill location.*¹⁷

....

*There is a relatively high probability of exposure for some of otters along the marine transportation route, in the event of an oil spill. Some level of negative effect would be expected for animals exposed to oil. Exposure during the winter season would be more stressful than exposure during the summer, but in either case, the combination of hypothermia and damage to the gastro-intestinal system caused by oil ingested through grooming the fur would have the potential to cause death.*¹⁸

28. Evidence from other intervenors supports the conclusion that the potential effects of an accident or malfunction associated with a Project-related tanker would be significant.
29. Fisheries and Oceans Canada's "Recovery Strategy for the Northern and Southern Resident Killer Whales (*Orcinus orca*) in Canada" clearly states that the impact of an oil spill on the killer whale population could be catastrophic:

¹⁵ Ibid. at page 12.

¹⁶ Ibid. at page 16.

¹⁷ Ibid.

¹⁸ Ibid.

While the probability of either northern or southern resident killer whales being exposed to an oil spill is low, the impact of such an event is potentially catastrophic. Both populations are at risk of an oil spill because of the large volume of tanker traffic that travels in and out of Puget Sound and the Strait of Georgia (Baird 2001, Grant and Ross 2002) and the proposed expansion of tanker traffic in the north and central coast of BC.

.....

Killer whales do not appear to avoid oil, as evidenced by the 1989 Exxon Valdez oil spill in Prince William Sound, Alaska. Less than a week after the spill, resident whales from one pod were observed surfacing directly in the slick (Matkin et al. 1999). Seven whales from the pod were missing at this time, and within a year, 13 of them were dead. This rate of mortality was unprecedented, and there was strong spatial and temporal correlation between the spill and the deaths.¹⁹

30. A report filed by BC Nature and Nature Canada shows that a catastrophic marine bird mortality event could result from a marine oil spill:

As an example, the Fraser River Estuary, which includes Boundary Bay, Roberts Bank and Sturgeon Bank, provides important habitat for hundreds of thousands of migratory birds during the spring migration period. If an oil spill resulted in oiling of these areas during the spring migration period, a catastrophic marine bird mortality event involving hundreds of thousands (or more) birds could potentially ensue. Further, many of the marine bird species involved in this mortality event would be species at risk. This is one of several potential worst-case ecological oil spill scenarios, in terms of marine birds, yet this possibility and its potential effects were not assessed in the proponent's PQERA. Although this is a low probability scenario it is one of extremely high consequence; estimates of ecological consequences and recovery times following a worst-case ecological scenario such as this are warranted.²⁰

31. The City of Vancouver commissioned independent expert evidence to provide an assessment of the potential economic cost of an oil spill in the Burrard Inlet on key ocean-dependent economic activities within the City of Vancouver. Professor Sumalia

¹⁹ Exhibit C356-2-8 – DFO 2011 Recovery Strategy for the Northern and Southern Resident Killer Whales in Canada ([A3W8G5](#)) at page 47.

²⁰ Exhibit C24-12-2 – BC Nature and Nature Canada Written Evidence ([A4L8K8](#)) at page 15.

estimates that, if a 16,000 m³ hydrocarbon spill were to occur in Burrard Inlet, Vancouver's ocean-dependent activities could suffer total losses up to \$1,230 million in output value, 12,881 person years of employment and \$757 million in GDP.²¹

32. The examples cited above are only a small sampling of the evidence filed by intervenors that demonstrates the significant environmental and socio-economic impacts associated with a marine oil spill.
33. The perceptions of members of the public also provide a useful measure of the significance of the environmental and socio-economic assets that will be affected in the event of a marine oil spill.
34. Evidence presented by both Victoria and other intervenors demonstrates that members of the public highly value the assets that may be impacted by a marine oil spill and would consider any damage to those assets to be significant.
35. Victoria residents are very concerned about the possible consequences of a marine oil spill. Top concerns for respondents to a City-hosted survey were:
 - impacts to marine mammals and birds (93% very concerned)
 - impacts to fish populations (92% very concerned)
 - impacts to water quality (90% very concerned)
 - impacts to human health (74% very concerned), and
 - damage to cultural and historic resources (74% very concerned).²²
36. Individual survey responses demonstrate that Victorians feel the impact of a marine oil spill will be significant:

²¹ Exhibit C77-27-1 – Written Evidence of the City of Vancouver ([A4L7V8](#)) at pages 92 to 94.

²² Exhibit C84-1-2 – City of Victoria Kinder Morgan Trans Mountain Pipeline Expansion Proposal Engagement Summary ([A4G3E6](#)) at page 62.

- *A spill would be terrible for the south island especially the impact on wildlife, birds, fish and other sea and shore creatures*²³
- *A spill could ruin our coastline tourism and all the economic benefits related to the ocean that we currently enjoy*²⁴
- *Nothing, no amount of riches or goods, can make up for losing the beauty and health of our home. It should never be risked.*²⁵
- *I have small children and when I think of what we are risking for the sake of the dollar it makes me very sad. We live in an ecological paradise and we're willing to throw it all away for NOTHING.*²⁶
- *Regardless of how much money this project brings in, once there is an oil spill the environment is destroyed forever. We live in the most beautiful area of Canada and tourism is an important part of our economy.*²⁷
- *At worst a spill would catastrophically undermine the integrity of our invaluable natural marine resources.*²⁸

37. As self-governing peoples with aboriginal rights and title, the perspectives of First Nations communities are particularly important when considering the values that may be affected by a marine oil spill and the significance of those values to individual communities. For example, the Matsqui First Nation presented as evidence its own assessment of impacts under various potential spill events, which focused on key Matsqui First Nation values and found that the impacts of a spill on those values would be very significant:

We see these values as an expression of who we are and of what it means to be a self-governing people. The values are an expression of our aboriginal rights and title: to use and occupy, manage, govern and rely upon our lands, waters and resources. They are also an expression of our human rights: to be physically and emotionally healthy, to have positive relationships within our community and with the communities around us, and to

²³ Ibid. at page 54.

²⁴ Ibid. at page 66.

²⁵ Ibid. at page 69.

²⁶ Ibid. at page 69.

²⁷ Ibid. at page 73.

²⁸ Ibid. at page 73.

maintain our culture and our traditions while pursuing growth and economic self-sufficiency.

.....

The Impact Assessment concludes that not only are spills more likely than predicted by the Proponent, but that the impacts of such spills on Matsqui First Nation values would be very significant. Rather than purely a theoretical analysis, the use of scenarios enabled us to understand what a major oil spill would actually mean to our way of life.

Not surprisingly, the most profound impact would be a spill of oil that reaches our fishing area at the Fraser River or that otherwise affects the Matsqui fishery. The Impact Assessment describes the potentially devastating implications of the loss of the fishery on our way of life. While the precise implications of a spill of diluted bitumen on fish and fish habitat is still uncertain, the scenarios demonstrate the risk that is expected to be borne by our community, which is so heavily dependent on fishing and fish to sustain our culture and to feed our people.

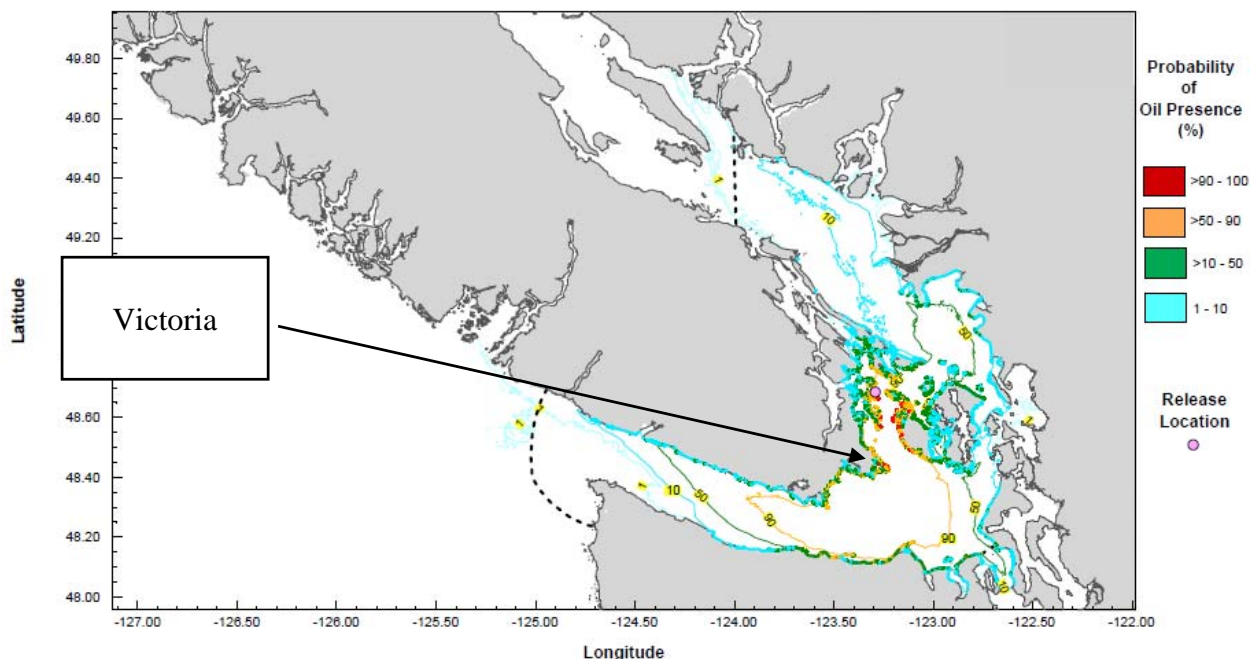
In its description of the losses associated with potential spill scenarios, the Impact Assessment seeks to address one of the fundamental challenges that Matsqui First Nation faces in participating in the NEB process and others like it. It is extremely difficult to describe the impacts on Matsqui First Nation values in a way that can inform a traditional cost-benefit or "public interest" analysis. For example, how do we explain the extent of the loss to our community of having our fishery shut down for a year? Or explain why buying replacement food at the grocery store could never be sufficient to address that loss?²⁹

Potential marine oil spill effects - Victoria

38. Because of its extensive marine shoreline, sensitive marine ecosystems and marine-based economy, Victoria is particularly at risk of significant impacts from a marine oil spill.

²⁹ Exhibit C227-7-1 – Matsqui First Nation Letter to NEB re Written Evidence ([A4L8I8](#)) at pages 3 and 4.

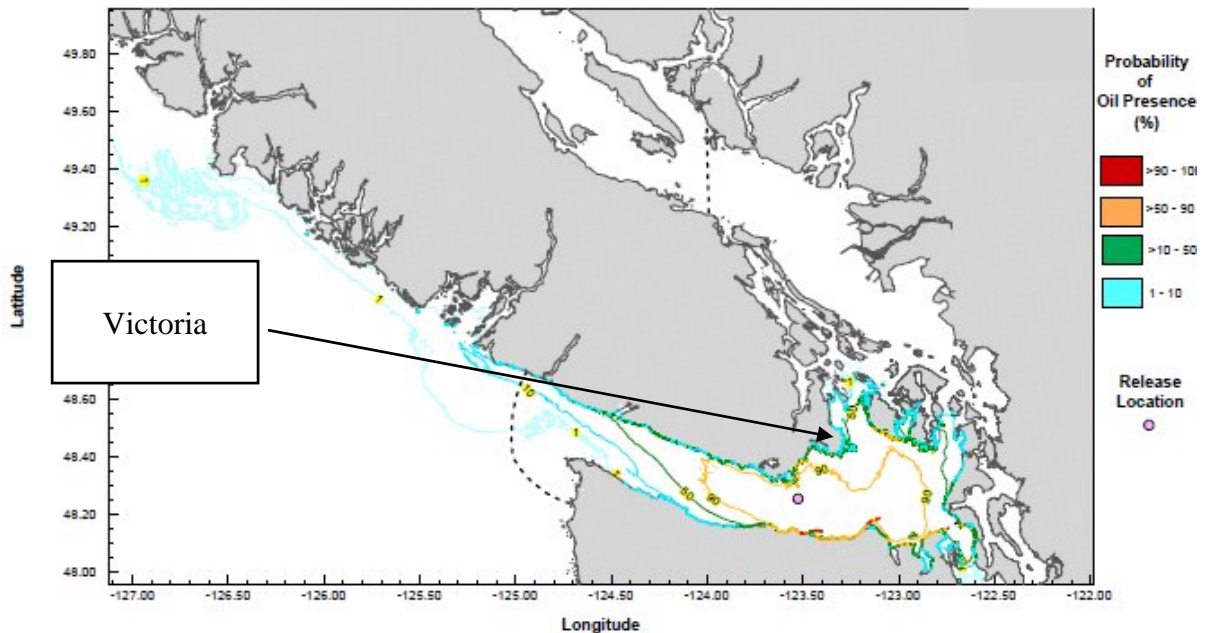
39. Although any spill in the waters off Victoria could have disastrous impacts, these impacts will be greatest if oil reaches Victoria shorelines. Victoria has a total shoreline length of 24.2 km, which includes natural areas and parks, homes, regional transportation facilities, businesses and industry.
40. It is evident from Trans Mountain's oil spill studies that Victoria shorelines will likely be oiled if a spill were to occur at any of the three locations selected by Trans Mountain for oil spill modelling: Arachne Reef, Race Rocks or the Strait of Georgia.
41. A map included with Trans Mountain's evidence and reproduced below shows a 90% probability that Victoria's shorelines will be oiled if a spill occurred at Arachne Reef.³⁰ Trans Mountain indicates that a spill at this location would quickly reach shorelines and would result in about 309 km of shoreline affected.³¹



³⁰ Exhibit B18-36 - V8A 5.6.2.4.1 F5.6.2.9 to F5.7.3.3 MAR TRANS ASSESS ([A3S4Y9](#)) at page 1 (Victoria locational marking added for emphasis).

³¹ Exhibit B315-14 – Trans Mountain Response to City of Victoria IR No. 2 ([A4H8L0](#)) at page 15.

42. Trans Mountain's evidence also shows a 50% probability that Victoria's shorelines will be oiled if a spill occurred at Race Rocks. As can be seen from the map reproduced below, in this scenario, there is also a 90% probability that the waters off Victoria will be oiled.³²



43. A possible accident location closer to Victoria was also identified by Trans Mountain: Location "F" - Brotnie Pilot Boarding Area. However, Trans Mountain states that this location was not selected for spill modeling because a possible collision with another vessel is a low probability event. A request from Victoria for spill modelling at that location was denied by Trans Mountain.³³
44. Although Trans Mountain provides no evidence specific to the impacts of an oil spill on Victoria, the evidence presented by Victoria clearly demonstrates that any marine oil spill

³² Exhibit B18-35 – V8A 5.6.2.3.1 to T5.6.2.23 MAR TRANS ASSESS ([A3S4Y8](#)) at page 2 (Victoria locational marking added for emphasis).

³³ Exhibit B315-14– Trans Mountain Response to City of Victoria IR No. 2 ([A4H8L0](#)) at page 15.

would have a significant impact on the economic, social and environmental well-being of the community.

45. Victoria is located in one of the most biologically rich and diverse bioregions in North America.
46. As described in this excerpt from Victoria's Official Community Plan,³⁴ the natural environment has a significant impact on Victoria's economy and well-being:

*Human well-being and nearly all economic activity depend on a healthy natural environment, both locally and globally. Even in a modified urban environment such as Victoria's, the natural environment provides essential ecosystem services, the fundamental life supports upon which human settlements and a wide variety of plants and animals depend. These services include clean air and water, waste decomposition, nutrient cycling and carbon sequestration. Victoria's spectacular setting and unique ecosystems are part of the community's identity, and support sectors such as recreation and tourism.*³⁵

47. Victoria encompasses several sensitive shoreline ecosystems that may be particularly affected by an oil spill occurring off its coastline. This includes two sensitive "Coastal Bluff" ecosystems, which are considered ecologically important because they support a large number of plant and animal species that have adapted specifically to this harsh environment. Coastal Bluff ecosystems are rare and contain highly specialized habitats for many species unique to these areas.³⁶

³⁴ An Official Community Plan is one of the most important guiding documents for a community. It is a 30-year plan that provides direction for growth and change. Victoria's new Official Community Plan was adopted by Council in 2012 after two and a half years of public consultation with more than 6,000 people.

³⁵ Exhibit C84-2-2 – City of Victoria Evidence Submission ([A4L8Y1](#)) at page 9, paragraph 23.

³⁶ Ibid. at page 9, paragraph 25.

48. Victoria's Outer Harbour has also been assigned a high to very high harbor ecological rating. A "Very High" rating is attached to the most ecologically valuable shore units in the harbour, with very little human alteration and high diversity and importance to species.³⁷
49. Victoria's shorelines support several protected plant and wildlife species that may be impacted by an oil spill. The entire Victoria shoreline is included within the Victoria Harbour Migratory Bird Sanctuary, which was established in 1923.³⁸ Two plant species protected under the Federal *Species at Risk Act* can be found along the shoreline of Beacon Hill Park.³⁹
50. The waters off of Victoria are included in the Federal Government-designated southern resident killer whales' critical habitat.⁴⁰ This means that the waters off of Victoria have been recognized as being necessary for the survival of this species.
51. There will also be significant social impacts to Victoria from a marine oil spill.
52. Victoria's shoreline parks and other public spaces, in particular, are major contributors to the community's well-being that are at significant risk. Victoria's Official Community Plan describes the important role that parks play in the community:

Parks, open spaces and recreational facilities serve many different uses in an urban environment. They help to improve the livability of densely developed areas, enable active lifestyles and personal health, provide spaces for respite and contemplation, highlight historic and cultural landscapes, and provide indoor and outdoor gathering

³⁷ Ibid. at page 10, paragraph 26

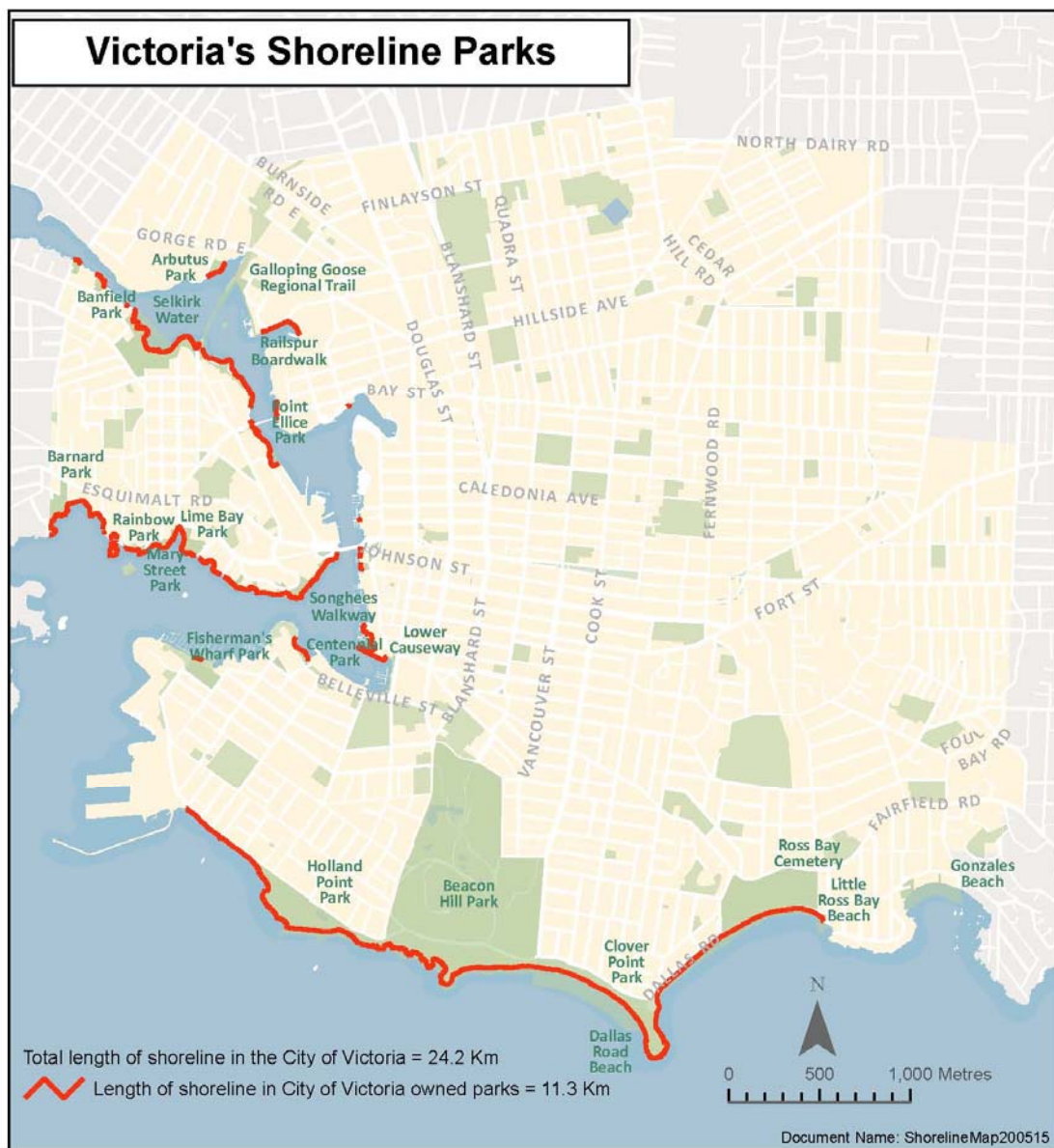
³⁸ Ibid. at page 10, paragraph 28

³⁹ Ibid. at page 10, paragraph 27

⁴⁰ Ibid. at page 10, paragraph 29

places. Many parks and open spaces also play an important role in providing animal and plant habitat and maintaining ecosystem services.⁴¹

53. As shown in the map below, City-owned parks comprise close to half of Victoria's total shoreline.⁴²



⁴¹ Ibid. at page 13, paragraph 31. Quote is from Victoria's Official Community Plan.

⁴² Ibid. at page 13, paragraph 33

54. Oiling of park shorelines would not only cause harm to the natural environment and any shoreline archaeological features in these parks, but also significantly impact recreational use.
55. The park that will be most significantly impacted by an oil spill is Beacon Hill Park, which is considered the crowning jewel in Victoria's park system. Beacon Hill Park and its adjoining parks and beaches include approximately 5 km of shoreline and are popular destinations for both residents and visitors for their natural environment, manicured gardens, recreational opportunities and archaeological and heritage features.⁴³
56. Victoria will also experience significant negative economic impacts from a marine oil spill.
57. As described in the excerpt from Victoria's Official Community Plan reproduced below, Victoria's economy is closely tied to its marine environment. Victoria's harbour is a prized asset and is a means to supporting green transportation, connectivity, vibrancy and investment downtown:

*Victoria's economy is largely based on government, tourism and commercial activities serving the local population. The Inner Harbour functions as an economic gateway with marine and air transportation that support the city's role as the provincial capital and tourist destination while the Outer and Upper Harbour continues to host waterfront industries.*⁴⁴

58. Victoria's tourism industry, in particular, will be decimated by a marine oil spill.
- Victoria's shoreline and marine environment are essential parts of its tourism appeal.

⁴³ Ibid. at page 13, paragraph 35

⁴⁴ Ibid. at page 15, paragraph 37.

59. Tourism is the second largest private sector employer in Greater Victoria. It is a \$1.9 billion dollar industry in Greater Victoria with more than 21,700 people directly employed in the tourism sector.⁴⁵
60. The experience in other communities that have experienced marine oil spills shows that all of these employees and businesses will be put at risk if the Project is approved. A study of the impact of the Deepwater Horizon oil spill in the Gulf of Mexico estimated a \$22.7 billion impact over a period of three years to US coastal economies. A review of disasters affecting tourism destinations conducted as part of that study revealed that the impact endures beyond the resolution of the crisis itself due to brand damage and ongoing traveler misperceptions.⁴⁶

Marine spill response capacity

61. The lack of sufficient, effective marine oil spill response capacity increases the possible consequences of a marine oil spill, both in Victoria and other coastal communities along the tanker route.
62. A variety of agencies are involved in responding to marine oil spills, including local government emergency responders. Victoria recognizes that Trans Mountain and Western Canada Marine Response Corporation (WCMRC) are not solely responsible for marine emergency response in BC coastal waters and that any gaps in current marine spill response capacity cannot be attributable to, or resolved by, those two entities alone. Nonetheless, these gaps are relevant to the Board review of the Project because they increase the potential negative effects of any marine oil spill from a Project-related tanker.

⁴⁵ Ibid. at page 15, paragraph 40.

⁴⁶ Ibid. at page 15, paragraph 41.

63. The only way to ensure an effective response to an oil spill is through comprehensive multi-agency planning and training, followed by testing and exercising to identify any gaps.
64. None of these activities have occurred in Victoria. There are no coordinated oil spill response plans in place for Victoria's harbour or offshore waters. Victoria's emergency responders have had no marine oil spill response training. Other than one marine oil spill table-top emergency exercise several years ago, Victoria staff have not participated in recent memory with WCMRC or the Province of British Columbia in any table-top or on-water emergency response exercises.⁴⁷
65. Other municipalities intervening in this hearing have also indicated that they have not been included as participants in marine oil spill response planning, training or exercises and that plans for responding to a marine oil spill near their communities are insufficient.
66. The City of Vancouver has only been invited to participate in exercises as an observer. Observations made by Vancouver staff during those exercises raised concerns that there is insufficient capacity to respond to the current risk.⁴⁸
67. The City of Port Moody's Fire Chief indicates that their Fire Department has been given no guidance or information from Trans Mountain about how to respond to an oil spill that enters Port Moody waters.⁴⁹
68. The North Shore Emergency Management Office, serving the District of North Vancouver, the City of North Vancouver and the District of West Vancouver, indicates

⁴⁷ Ibid. at page 17, paragraph 47.

⁴⁸ Exhibit C77-27-1 – Written Evidence of the City of Vancouver ([A4L7V8](#)) at page 54, lines 11 to 21.

⁴⁹ Exhibit C74-11-2 – Evidence of Remo Faedo Port Moody ([A4L7Q5](#)) at page 3, lines 6 to 8.

that no table top exercises have been done by WCMRC specifically with the North Shore municipalities.⁵⁰

69. The response to the April 8, 2015 Marathassa Oil Spill in Vancouver's English Bay shows how the lack of preparedness and coordination among all interested stakeholders reduces the effectiveness of marine oil spill response efforts. Evidence from the City of Vancouver and the North Shore Emergency Management Office show that the ability of local government emergency responders to launch an effective response to that incident was compromised by a lack of planning and coordination. Issues included:

- Delays in the notification process - Vancouver was not notified of the spill until more than 12 hours after it was reported.⁵¹ North Shore Emergency Management Office was notified 14 hours later.⁵²
- Delays in obtaining necessary information - The Canadian Coast Guard waited four hours before informing the North Shore Emergency Management Office that the spill had reached 500 m from the West Vancouver shoreline.⁵³
- Gaps in Incident Management Team and Incident Command System Implementation – There was a very uneven level of proficiency among federal agencies and other partners in the Incident Command Post.⁵⁴
- Gaps in Spill Science and Environmental Protection – Shoreline Cleanup and Assessment Technique teams did not fully survey all necessary shoreline areas,

⁵⁰ Exhibit C73-5-1 – Affidavit of Dorit Mason ([A4L6L4](#)) at page 4, paragraph 4.1.

⁵¹ Exhibit C77-27-1 – Written Evidence of the City of Vancouver ([A4L7V8](#)) at page 40, lines 3 to 5.

⁵² Exhibit C73-5-1 – Affidavit of Dorit Mason ([A4L6L4](#)) at page 5, paragraph 5.1.

⁵³ Ibid. at page 5, paragraph 5.2.

⁵⁴ Exhibit C77-27-1 – Written Evidence of the City of Vancouver ([A4L7V8](#)) at page 40, lines 10 to 20.

shoreline assessment maps were incomplete and inaccurate and insufficient environmental sampling and monitoring was conducted.⁵⁵

Project Benefits

70. Any benefits of the Project are vastly outweighed by the significant risks.
71. Trans Mountain cites a variety of general economic benefits to Canada, British Columbia and Alberta associated with the Project, including an increase in the GDP, an increase in taxes and an increase in job opportunities. Victoria is unable to comment on whether these anticipated benefits are realistic or achievable.
72. However, it is clear from Victoria's evidence that the environmental, economic and social values that are at risk from an accident or malfunction are of far greater significance and value to the community than any purely financial benefits that will be achieved from the Project.
73. This disparity between risk and benefit is particularly true for coastal communities, such as Victoria, that will bear all of the risk associated with a marine oil spill and receive no direct financial benefits from the Project.
74. Victoria asked Trans Mountain to provide information regarding the specific benefits that businesses and residents of Victoria and the Capital Regional District could expect from construction and operation of the Project. Trans Mountain was unable to identify a single, tangible financial benefit that would accrue specifically to Victoria or the region from the Project.⁵⁶

⁵⁵ Ibid. at page 41, lines 8 to 19 and page 42, lines 1 and 2.

⁵⁶ Exhibit B315-14 – Trans Mountain Response to City of Victoria IR No. 2 ([A4H8L0](#)) at pages 3 to 5.

Comments on Draft Conditions

75. Victoria has reviewed the draft conditions that directly relate to marine shipping and provides the following comments.
76. Victoria is in support of the following draft conditions:
- #77 – Plan for implementing, monitoring and complying with marine shipping-related commitments
 - #114 – Marine shipping-related commitments
 - #115 – Updated Tanker Acceptance Standard
 - #137 – Ongoing implementation of marine shipping-related commitments
77. With regard to draft condition #128 – Marine Mammal Protection Program, Victoria submits that item a) under the list of program requirements be revised as follows: “the goals and objectives of the program, determined in collaboration with appropriate government authorities, any potentially affected stakeholders and Aboriginal groups, including a discussion on how they align with the applicable Fisheries and Oceans Recovery Strategies and Action Plans.” Without input and review from other agencies and stakeholders, it is unclear how the Board will be able to determine whether the goals and objectives set out by Trans Mountain in its Marine Mammal Protection Program will be meaningful or effective.
78. Victoria submits that an additional condition or conditions must be added to address the current gaps with respect to marine oil spill preparedness outlined in this argument. Similar to conditions #119 and #120, this condition should require that Trans Mountain file the following documents with the Board prior to commencing operations:

- Copies of local marine oil spill emergency response plans for communities located along the tanker route, developed by WCMRC in collaboration with local government emergency responders and other agencies, and
- A description, and schedule of, emergency response exercises that WCMRC has conducted with local government emergency responders and other agencies and WCMRC's plans for future exercises to test a variety of scenarios during the Project's operational life.

Conclusion

79. In making its recommendation, the Board must consider "the potential environmental and socio-economic effects of marine shipping activities that would result from the proposed project, including the potential effects of accidents or malfunctions that may occur." The potential effects to communities located along the marine oil tanker route are numerous and significant.
80. If the Project is approved, the volume of product and number of tankers off the shores of Victoria will dramatically increase.
81. Victoria's environment, economy and social well-being will be placed at great risk. The probability of a marine oil spill will increase significantly and the consequences could be catastrophic.
82. Because of its extensive marine shoreline, sensitive marine ecosystems and marine-based economy, Victoria is particularly at risk of significant impacts from a marine oil spill. There is a high probability that a marine oil spill from a Project-related tanker will reach Victoria's shorelines.

83. The lack of sufficient, effective marine oil spill response capacity increases the possible consequences of a marine oil spill, both in Victoria and other coastal communities along the tanker route. If the Project is approved, conditions must be put in place to ensure that Trans Mountain and WCMRC address these gaps in marine oil spill preparedness.
84. The Project is not in the public interest because the risk to communities located along the tanker shipping route far outweigh any potential benefits. Victoria itself will receive no direct benefits, while incurring significant risk.
85. For these reasons, Victoria submits that the Board must recommend that Trans Mountain's application be dismissed.



City of
Richmond

Malcolm D. Brodie
Mayor

6911 No. 3 Road
Richmond, BC V6Y 2C1

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Fax No: 604-276-4332

www.richmond.ca

July 27, 2016

Honourable Norm Letnick
BC Minister of Agriculture
PO Box 9043, Stn Prov Govt
Victoria, BC, V8W 9E2

Dear Honourable Norm Letnick,

Re: Request to Limit Large Homes in the Agricultural Land Reserve (ALR)

This is to advise that Richmond City Council, at its Regular meeting held on Monday, July 11, 2016, considered the above matter and adopted the following resolution:

That a letter be sent to the Agricultural Land Commission and the Ministry of Agriculture, with copies to neighbouring municipalities, requesting that they introduce Provincial regulations to control the maximum house size and house location on properties within the ALR.

Since its inception, the Richmond Council has been committed to supporting the Province in protecting and enhancing the viability of the Agricultural Land Reserve (ALR), and avoiding uses which jeopardize farming.

In recent years, Council has become concerned about a disturbing trend - that house sizes in the ALR have been increasing to the point where they are becoming too large and do not support agricultural viability. For example, in Richmond, in 2010, the average built ALR house size was 678 m² (7,300 ft²), in 2015, it was an average of 1,114 m² (12,000 ft²) and lately some have been in excess of 2,230m² (24,000 ft²). Recently, Richmond staff turned down a Building Permit application for a house in the ALR which proposed 41,000 sq. ft. (0.94 acres), as it did not have the characteristics of an ALR single-family house, but rather of a hotel or a multi-family building. Attachments 1, 2 and 3 provide examples. These types of mega houses / buildings were never envisioned in the ALR, as they do not support agricultural viability and detract from achieving it. Richmond Council in discussions with other municipalities has noticed that they too are facing similar unacceptable large house size proposals in the ALR.

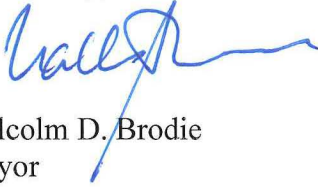
The Ministry's 2015 'Guide for Bylaw Development in Farming Areas' was a good step in the right direction; however, as this issue is province-wide, to better protect the ALR, the Richmond Council requests that the BC Ministry of Agriculture work with the Agricultural Land Commission (ALC), to establish uniform ALR regulations to limit the maximum house size and

house location (e.g., floorplate). This next step would better achieve the provincial ALR vision and agricultural viability.

Your consideration of this matter is appreciated. A similar letter has been sent to Frank Leonard, ALC Chair (attached).

If you have any questions or require additional information, please do not hesitate to contact Terry Crowe, Manager, Policy Planning at 604-276-4139.

Yours truly,

A handwritten signature in blue ink, appearing to read "Malcolm D. Brodie", with a long horizontal flourish extending to the right.

Malcolm D. Brodie
Mayor

Att 4

cc:

- Frank Leonard, Chair, Provincial Agricultural Land Commission
- Kim Grout, CAO, Provincial Agricultural Land Commission
- Metro Vancouver Board and municipalities

1083
Group 15
24

Doc	03/24/2015	Doc #	A1.0
Lab	3/22/15 1:27		
Test	11		
Client			



NOTES:
1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. FINISH GRADE IS INDICATED BY A DOTTED LINE.
3. FOUNDATION IS TO BE CONCRETE ON GRAVEL.
4. ROOF IS TO BE ASPH/FLT SHINGLES.
5. EXTERIOR WALLS ARE TO BE BRICK.
6. INTERIOR WALLS ARE TO BE PLASTER OR GYP BOARD.
7. FLOORS ARE TO BE 2" GYP BOARD OVER 1" INSULATION.
8. CEILING IS TO BE 5/8" GYP BOARD.
9. ROOF VENTS ARE TO BE 12" DIA. GALV.
10. DOWNSPUTS ARE TO BE 4" DIA. GALV.
11. GUTTERS ARE TO BE 6" WIDE.
12. SLOPE IS TO BE 1/4" PER FOOT.
13. ALL MATERIALS ARE TO BE APPROVED BY THE ENGINEER.
14. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
16. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
17. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL DEBRIS.
18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE.
19. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES.
20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FENCES.
21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING DRIVEWAYS.
22. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SIDEWALKS.
23. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STREETS.
24. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE.
26. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES.
27. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING FENCES.
28. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING DRIVEWAYS.
29. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SIDEWALKS.
30. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STREETS.



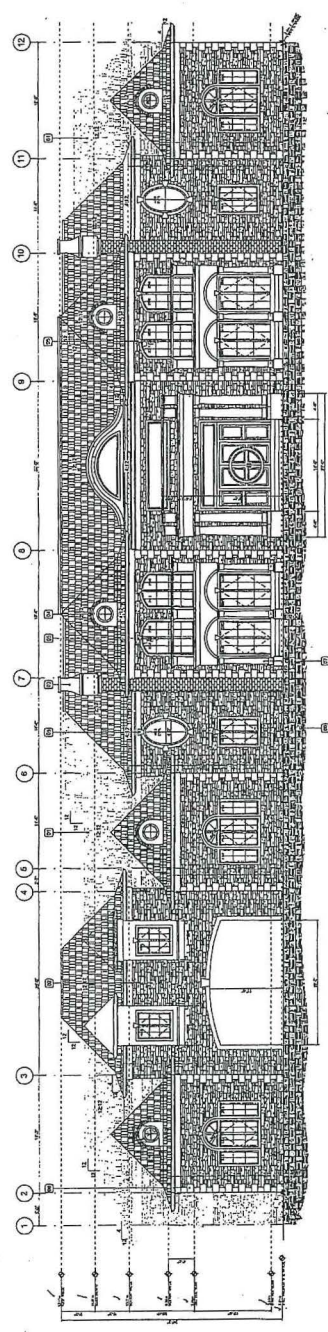
LU YANG ARCHITECTURE
100000001
STATE OF VIRGINIA
Professional Engineer
10/15/2015



10288 GRANVILLE AVE.
RICHMOND, B.C.
Project No.
WANG RESIDENCE

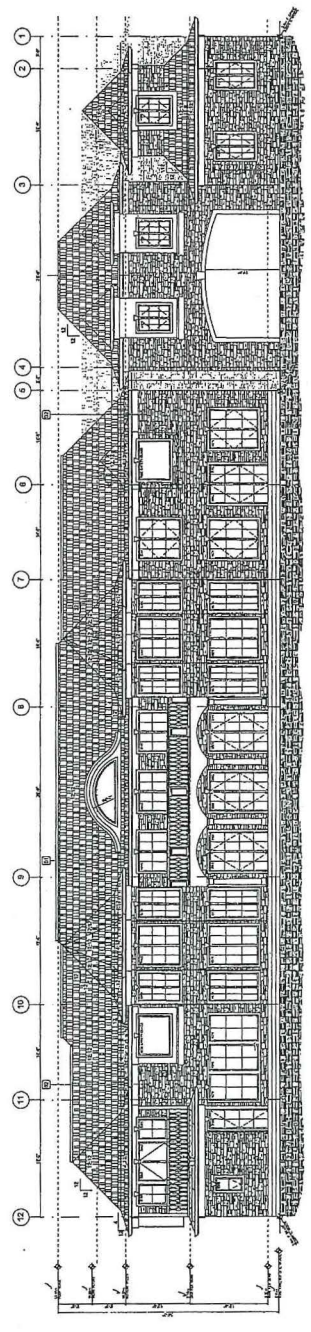
FRONT ELEVATIONS

5698838
CITY OF RICHMOND
3257-2732
1/1/2015
A7.0



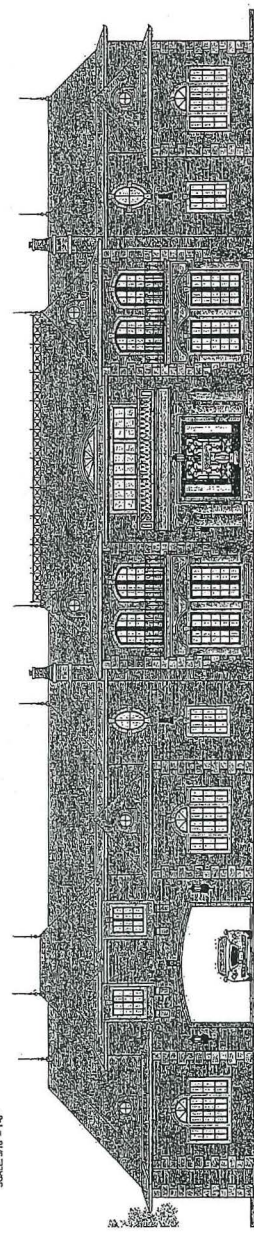
NORTH ELEVATION
SCALE 3/16" = 1'-0"

- LEGEND:
- 1. FINISH GRADE
 - 2. FOUNDATION
 - 3. ROOF
 - 4. EXTERIOR WALLS
 - 5. INTERIOR WALLS
 - 6. FLOORS
 - 7. CEILING
 - 8. ROOF VENTS
 - 9. DOWNSPUTS
 - 10. GUTTERS
 - 11. SLOPE
 - 12. UTILITIES



SOUTH ELEVATION
SCALE 3/16" = 1'-0"

EXISTING SIDEWALKS INDICATED BY DASHES



5698838
CITY OF RICHMOND
3257-2732
1/1/2015



Unit 208 - 670 EVANS AVENUE
VANCOUVER, BC V5A 2K6
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E-mail: info@wheelerhousingsolutions.com

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No	Date	Revision
01	2014/09/24	BP SUBMISSION

Consultants

ATTACHMENT 3
2016 REJECTED SINGLE-FAMILY HOUSE
41,000 FT²

Sheet Title
SITE PL

Drawing PS	Checked: MC	Scaled 1/32" = 1'	Project Number
Revision Date 2014/11/21			Print Date

SITE PLAN

RAR BUFFER
(INFORMATION FROM
R.I.M. OF CITY OF
RICHMOND)

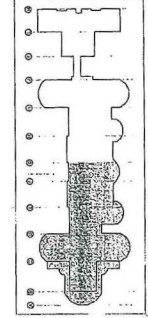
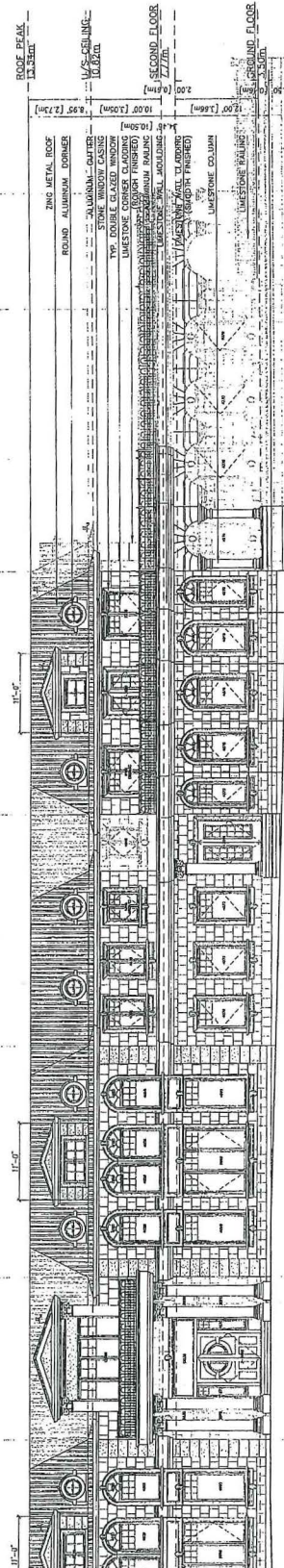
62



KEY PLAN



SPATIAL SEPARATION CALCULATIONS	
BUILDING OCCUPANCY GROUP: C	NORTH
AREA OF BUILDING FACE	8364.9 SF
LIMITING DISTANCE	77.57 F
AREA OF U.P.O.	2419.4 SF
SPRINKLER	YES
CODE REFERENCE	IBC TABLE 3.2.1.D
2 U.P.O. PERMITTED	N/A
2 U.P.O. PROPOSED	31.7%





City of
Richmond

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Mayor

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July 27, 2016

Frank Leonard, Chair,
Provincial Agricultural Land Commission
133-4940 Canada Way
Burnaby, BC, Canada
V5G 4K6

Dear Frank Leonard,

Re: Request to Limit Large Homes in the Agricultural Land Reserve (ALR)

This is to advise that Richmond City Council, at its Regular meeting held on Monday, July 11, 2016, considered the above matter and adopted the following resolution:

That a letter be sent to the Agricultural Land Commission and the Ministry of Agriculture, with copies to neighbouring municipalities, requesting that they introduce Provincial regulations to control the maximum house size and house location on properties within the ALR.

Since its inception, the Richmond Council has been committed to supporting the Province in protecting and enhancing the viability of the Agricultural Land Reserve (ALR), and avoiding uses which jeopardize farming.

In recent years, Council has become concerned about a disturbing trend - that house sizes in the ALR have been increasing to the point where they are becoming too large and do not support agricultural viability. For example, in Richmond, in 2010, the average built ALR house size was 678 m² (7,300 ft²), in 2015, it was an average of 1,114 m² (12,000 ft²) and lately some have been in excess of 2,230 m² (24,000 ft²). Recently, Richmond staff turned down a Building Permit application for a house in the ALR which proposed 41,000 sq. ft. (0.94 acres), as it did not have the characteristics of an ALR single-family house, but rather of a hotel or a multi-family building. Attachments 1, 2 and 3 provide examples. These types of mega houses / buildings were never envisioned in the ALR, as they do not support agricultural viability and detract from achieving it. Richmond Council in discussions with other municipalities has noticed that they too are facing similar unacceptable large house size proposals in the ALR.

The Ministry's 2015 'Guide for Bylaw Development in Farming Areas' was a good step in the right direction; however, as this issue is province-wide, to better protect the ALR, the Richmond Council requests that the Agricultural Land Commission (ALC) work with the BC Ministry of Agriculture, to establish uniform ALR regulations to limit the maximum house size and house

location (e.g., floorplate). This next step would better achieve the provincial ALR vision and agricultural viability.

Your consideration of this matter is appreciated. A similar letter has been sent to the Honourable Norm Letnick, Minister of Agriculture (attached).

If you have any questions or require additional information, please do not hesitate to contact Terry Crowe, Manager, Policy Planning, at 604-276-4139.

Yours truly,



Malcolm D. Brodie
Mayor

Att 4

cc:

Honourable Norm Letnick, BC Minister of Agriculture,
Kim Grout, CAO, Provincial Agricultural Land Commission
Metro Vancouver Board and municipalities